

REMARKS

Applicants respectfully requests favorable consideration of the application in view of the reasons that follow.

I. Disposition of the Claims

Claims 1-46 are pending in the present application. *See* Office action, page 1.

II. Restriction Requirement

The PTO required restriction, under 35 U.S.C. §§ 121, 372, between the following groups as these inventions or groups of inventions allegedly are not so linked as to form a single general inventive concept under PCT Rule 13.1. *See* Office action, pages 2-3.

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| Group I | claims 1-39, drawn to methods of producing an oligosaccharide from an exogenous precursor using a recombinant microorganism including a gene for at least one glycosyltransferase. |
| Group II | claim 40-45, drawn to oligosaccharides and compositions thereof. |
| Group III | claim 46, drawn to use of an oligosaccharide for the growth or defense of plants. |

Moreover, the PTO required Applicants to elect a single species of oligosaccharides and corresponding exogenous precursor and recombinant genes. *See* Office action, page 7. The PTO enumerated species of oligosaccharides, exogenous precursors and genes on pages 3-7 of the Office action.

III. Provisional Election

In response, Applicants hereby provisionally elect Group I, claims 1-39, drawn to methods of producing an oligosaccharide from an exogenous precursor using a recombinant

microorganism including a gene for at least one glycosyltransferase. In addition, Applicants provisionally elect:

the oligosaccharide Lacto-N-fucopentaose and polylactosamine;
the exogenous precursor Lactose; and
the recombinant genes β -1,3-N-acetyl-glucosaminyl-transferase and β -1,4-galactosyl-transferase.

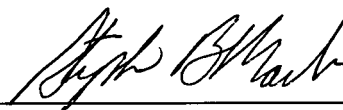
Applicants note that this combination of oligosaccharide, exogenous precursor and recombinant genes is disclosed, *e.g.*, as Example 3 of the specification. *See* pages 33-34. As Applicants have provisionally elected the invention of Group I, claims 1-14, 18, 25-28, 30 and 39 are readable on this elected combination.

IV. Conclusion

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should be charged to our Deposit Account.

Respectfully submitted,

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By 

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